

HOUSE No. 2255

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act for environmental, and water testing requirements, and funding thereof.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Vincent Lawrence Dixon</i>	<i>60 Lake Street-Unit N, Winchester, MA 01890</i>	<i>1/27/2021</i>

HOUSE No. 2255

By Mr. Day of Stoneham (by request), a petition (accompanied by bill, House, No. 2255) of Vincent Lawrence Dixon relative to environmental and water testing requirements. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3494 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act for environmental, and water testing requirements, and funding thereof.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The Massachusetts General Laws are hereby amended by inserting the
2 following new chapter:

3 An Act for environmental, and water testing requirements, and funding thereof.

4 1.) It being important for the public health, and safety, various environmental, and water
5 testing requirements, have been developed, by statute, regulatory actions, and various
6 circumstances. Challenged public revenues, and circumstances, from time to time, mean that
7 testing is delayed, even when it is having effect on individuals, businesses, or organizations. It is
8 in the interests of such circumstances, to encourage, and further enable, needed actions, and that
9 is the purpose of this legislation.

10 2.) All environmental, and water testing required by law, shall be enforced, and
11 enforceable; by appropriate funding, from public budgets, appropriate private compensations,
12 and when needed, by appropriate court order.

13 3.) Since such testing is vital, if funding from public sources, does not appear to be fully
14 sufficient to provide for such testing, as is legal, and necessary, other resources, may be
15 expended, as described in this statute.

16 4.) Such testing may have alternative financing, for testing, by one or more of several
17 mechanisms:

18 Voluntary contributions, and/or agreed-upon funding, transferred from one or more
19 individual persons, property owners, organizations, and/or others, may be accessed, specifically
20 to meet the need for, and to conduct legally defined, and/or needed testings. Reasonable required
21 testing, shall be reimbursable by a Tax Donation Credit (TDC); which shall be certifiable, in a
22 document that states the nature of required testings, being performed according to legal
23 standards, and/or needed circumstance. This Credit, would be useable on legally filed tax returns,
24 only by the individual, and/or organization, bearing the cost of needed testing, which would
25 otherwise be performed, by public budget expenditure.

26 5.) Such testing, if advanced in schedule, by the means of this legislation, can be
27 authorized by the appropriate jurisdictional authorities; if there is unreasonable delay, a person
28 with standing, in relation to the particular site, may seek an appropriate court order, to obtain
29 such reasonable testing, when it is in sufficient public interest.